

**April 4, 2016
COMMISSION MEETING MINUTES
BOROUGH OF COLLINGSWOOD, NJ**

A regular meeting of the Board of Commissioners was held at the Collingswood Community Center, 30 W. Collings Avenue, Collingswood, NJ, on the second floor, at 7:00 P.M. Mayor M. James Maley, Jr., called the meeting to order, with Commissioner Joan Leonard *present* and Commissioner Michael Hall *present*. Mayor Maley read the Sunshine Notice stating that the Borough has complied with provisions of the Sunshine Law by adopting by January 10 of this year, a resolution prescribing the dates, times and locations of all regular meetings of the Commission. This meeting was one of the meetings listed on the resolution. Mayor Maley led the Pledge of Allegiance. The Tax Collector, Treasurer and Zoning Official reports were approved and seconded.

**The Commissioners called for the Second Reading and Public Hearing of
Ordinance 1588 to Exceed the Municipal Budget Appropriation Limits and to
Establish a Cap Bank**

**CALENDAR YEAR 2016
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Collingswood in the County of Camden finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$388,534.77 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Collingswood, in the County of Camden, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Collingswood shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$ 388,534.77, and that the CY 2016 municipal budget for the Borough of Collingswood be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Maley opened the Ordinance to the public

With no comments Mayor Maley moved the public hearing closed and the ordinance be adopted on second and final reading which was seconded and approved by the call of the roll:

**Aye: M. James Maley, Jr.
Aye: Joan Leonard
Aye: Michael Hall**

The Commissioners called for the Second Reading and Public Hearing of

**ORDINANCE 1592
AN ORDINANCE AMENDING CHAPTER 247, SECTION 16 OF
THE BOROUGH OF COLLINGSWOOD CODE**

BE IT ORDAINED AND ENACTED, by the Borough Commission of the BOROUGH OF COLLINGSWOOD, that:

I. PURPOSE.

The purpose of this Ordinance is to amend Chapter 247, Section 16 of the Borough Code entitled Prohibited Discharges. The Borough has determined that amending the regulations is in the best interest of the Borough’s residents.

II. AMENDMENTS

D. Solid or viscous substances in quantities or of such size to be capable of causing obstruction to the flow in sewer or other interference with the proper operation of the wastewater facilities, such as but not limited to ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, personal hygiene wipes, feminine products etc.

L. Violations and penalties. Any person who violates any provision of this section shall, upon conviction thereof, be subject to a fine not less than \$100 nor more than \$1,000.

2. All other terms and provisions of Chapter 247, Section 16 shall remain the same and are hereby reaffirmed.

III. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon final passage, approval, and publication, as provided by law.

Mayor Maley opened the Ordinance to the public

With no comments Mayor Maley moved the public hearing closed and the ordinance be adopted on second and final reading which was seconded and approved by the call of the roll:

**Aye: M. James Maley, Jr.
Aye: Joan Leonard
Aye: Michael Hall**

**The Commissioners called for the Second Reading and Public Hearing of
ORDINANCE 1593 AMENDING CHAPTER 293 OF THE CODE OF THE BOROUGH OF
COLLINGSWOOD- PARKING**

BE IT ORDAINED, by the Borough Commission of the BOROUGH OF COLLINGSWOOD, that the following Chapters of the Borough Code be amended and supplemented as follows:

Chapter 293-21 Nighttime parking; insignia required shall be amended:

C. Residences with no off street parking shall be eligible for up to 3 permits per household.

Residences with a driveway that cannot fit more than 2 vehicles are eligible for 1 permit per household.

All vehicles must be registered to the Collingswood address for proof of residency.

D. Permits will be valid for a period of 1 year and expire on 12/31.

Chapter 293-24 Exceptions to parking restrictions for certain residences shall be amended as follows:

A. Permit Parking Only Streets – Residences on the below streets may be eligible for up to 2 permits per household.

1 permit per residence with under 5 vehicles.

2 permits per residence with 5 or more vehicles.

Ogden Ave	Whitman Ave
Coolidge Ave	Edison Ave
Dill Ave	Wesley Ave
Curtis Ave	Conard Ave
Cooper Ave	

Residences on the below streets may be eligible for up to 3 permits per household.

2 permits for residences with under 5 vehicles.

3 permits for residences with 5 or more vehicles.

E. Collings Ave (Haddon to Maple)

Gorman Ave

Lincoln Ave (Haddon to 150' east of Maple)

Spring Ave

S. Atlantic Ave (Lakeview to Dayton)

Apartments – Tenants are eligible for only 1 permit per apartment if 3 or more vehicles are registered to the apartment and they can produce a current lease listing all of the occupants.

No permits will permitted for those living at the following:

Heights of Collingswood

Pewter Village

Creswood

Marina Park

Woodlawn Terrace Condos

Collingswood Arms

White Have Condos

1025 W. Collings

Permits may be permitted for those living in the following:

Wayne Gardens

Madison Gardens

30 Haddon

Metropolitan Apartments

Zane Ave Apartments

Pacific Ave Apartments

Wayne Terrace Apartments

Bettlewood Ave Apartments

C. Is deleted in its entirety.

Chapter 293 -61 Schedule XII: Parking Prohibited at All Times shall be amended as

follows:

Add: Haddon Avenue South From Ferry Avenue to Bellevue Terrace

IV. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon final passage, approval, and publication, as provided by law.

Mayor Maley opened the Ordinance to the public

With no comments Mayor Maley moved the public hearing closed and the ordinance be adopted on second and final reading which was seconded and approved by the call of the roll:

Aye: M. James Maley, Jr.

Aye: Joan Leonard

Aye: Michael Hall

**The Commissioners called for the Second Reading and Public Hearing of
ORDINANCE 1594 AMENDING CHAPTER 105 OF THE CODE OF THE
OF THE BOROUGH OF COLLINGSWOOD, COUNTY OF CAMDEN, STATE OF NEW
JERSEY ADDING ARTICLE II., PET SHOP SALES, TO CHAPTER 105, ANIMALS**

WHEREAS, a significant number of puppies and kittens sold at pet shops come from large-scale, commercial breeding facilities where the health and welfare of the animals are not adequately provided for (“puppy mills” and “kitten mills,” respectively). According to The Humane Society of the United States, it is estimated that 10,000 puppy mills produce more than 2,400,000 puppies a year in the United States and that most pet shop dogs and cats come from puppy mills and kitten mills; and

WHEREAS, the documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; lack of socialization; lack of adequate space; and lack of adequate exercise; and

WHEREAS, the inhumane conditions in puppy and kitten mill facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops due to both a lack of education on the issue and misleading tactics of pet shops in some cases. These health and behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers; and

WHEREAS, current Federal and State regulations do not adequately address the sale of puppy and kitten mill dogs and cats in pet shops; and

WHEREAS, restricting the retail sale of puppies and kittens to only those that are sourced from shelters or rescue organizations is likely to decrease the demand for puppies and kittens bred in puppy and kitten mills, and is likely to increase demand for animals from animal shelters and rescue organizations; and

WHEREAS, according to the New Jersey Department of Health 2014 Animal Intake and Disposition Survey, due in large part to pet overpopulation, more than 20,000 dogs and cats are euthanized in New Jersey animal shelters annually, including nearly 1,500 in the County of Camden. Restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations will likely reduce pet overpopulation and thus the burden on such agencies and financial costs on local taxpayers; and

WHEREAS, across the country, thousands of independent pet shops as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats. Many of these shops collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises; and

WHEREAS, this Ordinance will not affect a consumer's ability to obtain a dog or cat of his or her choice directly from a breed-specific rescue organization or a shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dogs or cats are bred, or can confer directly with the hobby breeder concerning those conditions; and

WHEREAS, the Borough Commissioners believes it is in the best interests of this Borough of Collingswood to adopt reasonable regulations to reduce costs to the Borough of Collingswood and its residents, protect the citizens of the Borough of Collingswood who may purchase cats or dogs from a pet shop or other business establishment, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment in the Borough of Collingswood.

BE IT ORDAINED by the Borough Commissioners of the Borough of Collingswood, County of Camden, and State of New Jersey adding Article II., Pet Shop Sales, to Chapter 105, Animals, in the Code of the Borough of Collingswood, as follows:

ARTICLE I. ARTICLE II. SECTION 105-1 Definitions.

ANIMAL CARE FACILITY - an animal control center or animal shelter, maintained by or under contract with any state, county, or Borough of Collingswood, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

ANIMAL RESCUE ORGANIZATION - any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes.

CAT - a member of the species of domestic cat, *Felis catus*.

DOG - a member of the species of domestic dog, *Canis familiaris*.

OFFER FOR SALE - to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

PET SHOP - a retail establishment where dogs and cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined.

ARTICLE II. ARTICLE II. SECTION 105-9 Restrictions on the Sale of Animals

A. A pet shop may offer for sale only those dogs and cats that the pet shop has obtained from or displays in cooperation with:

- (1) An animal care facility; or
- (2) An animal rescue organization.

B. A pet shop shall not offer for sale a dog or cat that is younger than eight (8) weeks old.

ARTICLE III.

If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, that decision shall not affect the validity of this Ordinance as a whole or any part thereof.

ARTICLE IV.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE V.

This Ordinance shall take effect upon passage and publication according to law.

Mayor Maley opened the Ordinance to the public

With no comments Mayor Maley moved the public hearing closed and the ordinance be adopted on second and final reading which was seconded and approved by the call of the roll:

Aye: M. James Maley, Jr.

Aye: Joan Leonard

Aye: Michael Hall

The Commissioners called for the First Reading of Ordinance of

Ordinance No. 1595
APPROPRIATING \$200,000.00 FROM THE GENERAL
CAPITAL IMPROVEMENT FUND FOR THE ABANDON PROPERTY PROJECT
AND
APPROPRIATING \$50,000.00 FROM THE SEWER CAPITAL
IMPROVEMENT FUND FOR THE PURCHASE OF EQUIPMENT
AND
APPROPRIATING \$80,000.00 FROM THE PARKING CAPITAL
IMPROVEMENT FUND FOR THE PURCHASE OF METERS

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Collingswood, County of Camden, State of New Jersey, (not less than 2/3 of all members thereof affirmatively concurring) as follows:

SECTION 1. The Borough Council of the Borough of Collingswood hereby authorizes the following improvement:

Abandon Property Project	\$200,000.00
Purchase Sewer Equipment	\$ 50,000.00
Purchase Parking Meters	\$ 80,000.00

The useful life of this equipment is at least five (5) years. No Supplemental Debt Statement is required since there is no authorization of any debt within this Capital Ordinance. The gross debt of the Municipality as defined by law is not increased by this ordinance, and no obligation in the matter of bonds or notes are authorized by this ordinance.

SECTION 2. This Capital Ordinance shall take effect immediately after publication following the final adoption as provided by law.

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on May 2, 2016, which was seconded and approved by the following call of the roll:

Aye: M. James Maley, Jr.
Aye: Joan Leonard
Aye: Michael Hall

The Following Resolutions were Approved without a Dissenting Vote

70. Appointing Colin Steward as a Full-Time Police Officer

Oath of Office:
Colin Steward

71. Appointing Edward Wells as Librarian to the Collingswood Library

72. Reappointing John Bellace as a Member of the Zoning Board

73. Authorize to Advertise for Bids for the Stokes Avenue Resurfacing Project

74. Authorizing a Contract be Awarded to JDS Industries for the Borough Hall and Collingswood Library Roof Repair Projects

75. Authorizing a Cooperative Pricing Agreement with Camden County -Copy Paper

76. Requesting Approval of Insertion of Items of Revenue and Appropriation
NJDOT - Stokes Avenue Project

77. Authorizing a Refund of a Tax Overpayments

78. Authorizing the 2016 Municipal Budget to be Read by Title Only

Public Hearing on 2016 Municipal Budget as Introduced

No Comment

Mayor Maley talked about the budget. He stated the average increase will be about \$30.00. He discussed some of the projects that are included in budget, such as; the painting and refurbishing of the water towers, continued improvements at Robert's Pool, the purchase of equipment for tree maintenance and the maintaining of Borough Services.

79. Authorizing the Adoption of 2016 Municipal Budget

Aye: M. James Maley, Jr.

Aye: Joan Leonard

Aye: Michael Hall

80. Second Reading and Public Hearing of the Business Improvement District Budget for 2016

81. Approving Review of 2015 Municipal Audit and Group Affidavit

Aye: M. James Maley, Jr.

Aye: Joan Leonard

Aye: Michael Hall

82. Approving the Payment of Bills in General, Water and Sewer Accounts.

Commissioner Hall congratulated Colin Steward and thanked DPW for the work they did on cleaning up after the recent storms.

Commissioner Leonard also thanked everyone for helping with storm cleanup all winter long. Commissioner Leonard talked about the great events coming up this spring such as 2nd Saturday, third Thursday Cruise Nights, Green Festival events, she reminded folks to look on the borough website for more information.

Mayor Maley thanked Cass Duffey for her help with Wellness Week, there were some great events and we look forward to next year. Mayor Maley added that the Farmer's Market will be opening before we know it.

Mayor Maley opened the meeting to the public.

Richard Klingerman 743 Maple asked about the parking regulations outside of Garfield School. Chief Carey advised Mr. Klingerman there is no parking times posted and if anyone is parked during those hours they are parked illegally.

Keith Monahan, 346 Richey Ave. asked about electronic recycling and televisions being left curbside. Mayor Maley advised these items should be taken to the electronics recycling center on River Road in Pennsauken. Commissioner Leonard added items can be brought the Green Festival for recycling along with many other items. Keith Monahan asked about the demolition of the homes on Cattell and the threat of asbestos contamination in the ground and if the borough took care of the remediation. Mayor Maley explained any remediation was done prior to demo so there would not be anything in the ground from demolition but anything could have occurred years ago. Mayor Maley said there is not any indication that there is any environmental issue there. Mr. Monahan asked that the crosswalks get painted at Woodlynne and Richey. Chief Carey advised it is state owned property and he is reaching out to have it taken care of. Mr. Monahan also expressed concerns about drivers going through Stop signs. Mayor Maley said we are aware, it is happening everywhere, Mayor Maley added we are doing enforcement on it and it comes down to everyone needs to slow down.

Sue Maynard, 131 E. Palmer Ave. expressed concerns about the 130 overpass being littered. Mayor Maley explained it is DOT property and they are supposed to maintain it but Commissioner Leonard and community service workers clean up that area pretty regularly. Commissioner Leonard said she tried to get out there every few weeks but with the recent storms other areas in town have been the focus, Commissioner Leonard added they will be getting back out there. Sue Maynard asked about the status of McFarland's. Mayor Maley said they have been moving forward but there is a problem with pressure in the gas lines. They are waiting on PSEG. Ms. Maynard asked when the overnight parking tickets will be issued

With no further comments, Mayor Maley moved the meeting be adjourned at 7:25PM, which was seconded.

M. James Maley, Jr.

Joan Leonard

Michael Hall
Borough Commissioners

K. Holly Mannel
Borough Clerk